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TAGS: [SCUL](#) [UNESCO](#) [KPAO](#)
SUBJECT: UNESCO: EQUITABLE GEOGRAPHIC REPRESENTATION IS PARTIALLY
ASSURED FOR INTANGIBLE CULTURAL HERITAGE TREATY BODY

REF: PARIS 04963

11. Summary. The United States participated as an Observer State at the Special General Assembly of States Parties to the Intangible Cultural Heritage Convention (the Convention) at its meeting held on November 9. The Special GA elected 6 additional States Parties as members to the Inter-Governmental Committee (IGC), the policy-making body that oversees the Convention's implementation. This brings the Committee's membership to its full complement of 24 members, as provided for in the Convention. The Special GA also took steps that now ensure that each of UNESCO's six regional groups will hold at least 3 seats on the Committee, though some currently hold more. Left unresolved is the question of whether there will be a ceiling on the maximum number of seats each region will be permitted to hold. The Special GA decided to defer that issue until the next regular session of the General Assembly of States Parties to the Convention, scheduled for June 2008. Group I States (mostly Western European that, under one formula, would have received only two seats) received an unexpected gift of one additional Committee seat, thanks to the Africa Group which voluntarily gave up one of its 6 seats to Group I - on an exceptional basis - in order to foster greater geographical balance in the composition of the entire Committee. End Summary.

12. As reported in reftel, at the First General Assembly of States Parties in June 2006, 18 States Parties were elected to the Committee. Because the number of States Parties to the Convention had increased to more than 50 since that time, the States Parties were obliged, pursuant to Article 5(2) of the Convention, to hold a follow-on General Assembly to elect six new States Parties to the remaining six Committee seats. The Special GA was chaired by its Vice-Chair, the Brazilian Ambassador, in the absence of the Algerian elected as the chair in June, Foreign Minister Bedjaoui.

13. Before the balloting was allowed to take place, however, a long debate ensued on how to address two important issues left unsettled at the June GA - (a) whether there should be an agreed minimum of 3 seats per regional group and (b) whether there should be a ceiling on the number of seats per regional group. The Asian-Pacific Group (headed by India) led the charge urging deferral to a later date the issue of an upper limit on seats per regional group. This was widely supported by most other delegations.

14. Delegations were then unexpectedly informed by the Gabon Ambassador (speaking on behalf of the Africa Group (Group V(a)) that that group had decided on an exceptional basis to relinquish voluntarily one of its seats for the benefit of Group I, with the caveat that in doing so, its decision should be understood as having no bearing on how the GA ultimately decides the question of whether an upper limit on seats per regional group." This was greeted with applause and a round of compliments for the Africa Group's magnanimity.

15. The Assembly then proceeded to carry out the election of the six new members, preceded by clarification for the record of how many seats per regional group would be filled. As agreed, Group I would gain one seat; Group II, one seat; Group III, one seat; Group V(a), two seats; and Group V(b) one seat. The successful candidate countries were: France (Group I); Belarus (Group II); Bolivia (Group III); Central African Republic and Mali (Group V(a)); and Syria (Group V(b)).

16. The remaining important item of business was to decide which 12 Member States on the Committee would be selected by lot to serve an initial term of only two, rather than four, years as foreseen by Article 6 of the Convention. It was decided that two members of each regional group would have terms limited from 2006-2008, while the remaining members would serve a full four-year term until 2010. Those selected by lot for two-year terms were: Group I (Belgium and France); Group II (Bulgaria and Romania); Group III (Bolivia and Brazil); Group IV (China and Japan); Group V(a) (Nigeria and Senegal); and Group V(b) (Algeria and Syria).

17. Article 6 of the Convention provides that "The election of States Members of the Committee shall obey the principles of equitable geographical representation and rotation." UNESCO's practice has more often than not adhered to the norm of equitable geographic representation in the form of balanced geographical representation. This approach has tended to attach less importance to the uneven number of States per region and factors such as how many States per region at a given time may be parties to a given Convention. In the context of the Intangible Cultural Heritage Convention, however, there has developed a strong groundswell, particularly among the Group II and Group IV countries, to diverge from that practice in deciding on representation on the all-important, rules-making and decision-making Inter-Governmental Committee.

18. Comment: Slow ratifications of this Convention in Group I among Western European countries have placed that regional group at a distinct disadvantage vis-à-vis other regions that currently stand to wield significant power on the Committee. The mood surrounding elections to the Committee has clearly set it off, unfortunately, on a highly politicized footing. The African Group gesture toned this down just a bit by ensuring that Group I will have at least 3 seats during this crucial start-up phase of the Committee's decision-making and work. However, the still unresolved issue of whether there will be a ceiling on the number of seats per regional group still threatens to further politicize this new UNESCO treaty body. The potential for adverse spill-over effects on other nascent UNESCO treaty bodies (such as the Committee to be established under the 2005 so-called Cultural Diversity Convention when it enters into force) cannot be discounted. This would be unfortunate not just within the UNESCO context but also elsewhere within the UN system where other treaty bodies are also being negotiated and/or being established. The outcome of this process therefore deserves to be closely followed, particularly as we move toward inter-agency reflection on whether the U.S. should look afresh at the possibility of joining the ICH Convention. The U.S. will field a small observer delegation to the First Meeting of the IGC that meets in Algiers November 18-19. A report on that meeting will follow.

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